

01-13-03 9200 #7

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU110401200US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: 01/09/2003

Signature: *Linda A. Bourg*

(Linda A. Bourg)

Docket No.: HO-P02416US0
(PATENT)

JAN 09 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert Anderson, et al.

Application No.: 10/089,700

Group Art Unit: N/A

1645

Filed: October 2, 2000

Examiner: Not Yet Assigned

For: DIAGNOSIS OF COELIAC DISEASE USING
A GLIADIN EPITOPE

PETITION UNDER 1.181(A) TO REQUEST TO WITHDRAW HOLDING OF
ABANDONMENT

Commissioner for Patents
Box DAC (Office of Petitions)
Washington, DC 20231

Dear Sir:

Applicants respectfully request that the holding of abandonment on U.S. Application No. 10/089,700 be withdrawn.

Attorneys for Applicants did not receive a Notice to File Missing Parts. The date indicated on the Notice of Abandonment for the mailing date of a Notice to File Missing Parts in this application is May 29, 2002. Enclosed are summaries of the docketing records for the instant application. The receipt of the Notice to File Missing Parts is not indicated on the docketing records, nor are any actions related to the Notice to File Missing Parts indicated in the docketing records. Thus, since the Notice to File Missing Parts was not received and docketed, Applicants were unaware of a deadline in which to file the missing parts.

In order to advance prosecution in the instant application, Applicants herewith submit an executed Inventor Declaration. Applicants believe this is responsive to the Notice of Missing Parts.

Applicants respectfully request that the holding of abandonment be withdrawn in view of the above comments and enclosures. An action on the merits of all the claims and a

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P02416US0 from which the undersigned is authorized to draw.

Dated: January 9, 2003

Respectfully submitted,

By 

Melissa W. Acosta

Registration No.: 45,872

FULBRIGHT & JAWORSKI L.L.P.

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

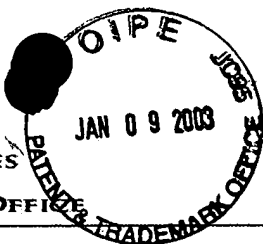
(713) 651-5151

(713) 651-5246 (Fax)

Attorneys for Applicant



UNITED STATES
PATENT AND
TRADEMARK OFFICE



Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/089,700		Robert Anderson	HO-P02416USO

CONFIRMATION NO. 2705

Melissa W Acosta
Fulbright & Jaworski
1301 McKinney
Suite 5100
Houston, TX 77010-3095

**ABANDONMENT/TERMINATION
LETTER**



OC000000009165018

Date Mailed: 11/27/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/29/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Docket Number Country

HO-P02416USO United States

<<<<<< PARTY INFORMATION >>>>>>
Client: J. A. Kemp & Co.
Agent: J. A. Kemp & Co.
Manage Atty: Thomas D. Paul
Current Owner:
For Associate:
Associate:
Previous Owner:

<<<<<< TITLE>>>>>>
DIAGNOSIS OF COELIAC DISEASE USING A GLIADIN EPITOPE

<<<<<< INVENTOR INFORMATION >>>>>>
Inventor Assigned

Due Date Taken Deadline
01/02/2001
04/02/2001
07/02/2001
09/02/2001
10/02/2001
04/01/2002

<<<<<<<<< ACTION INFORMATION >>>>>>>>>>
Completed
INF DISCLOSURE STMT
Foreign filing - 6 month reminder
Foreign filing - 9 month reminder
Foreign filing - 11 month reminder
Foreign filing deadline
INSTRUCT AGENT
SMALL ENTITY STMT
REM/FILE APPLICATION

Case Type Relation Type Filing Type Status

Regular Original Filing National Filed

<<<<<<<< IMPORTANT DATES/NUMBERS >>>>>>>>
Application Date: 10/02/2000 Serial No: 10/089,700
Issue Date: Patent No:
Publication Date: Publication No:
Parent Filing Date: 10/02/2000 Parent No: PCT/GB00/03760
Parent Grant Date: Ind. Claims: 000000000 Great Britain
Total Claims: 000000000
Create Date: 03/26/2002 Update Date: 08/20/2002
Updated By: 0591

<<<<<<<< SYSTEM GENERATED DATES >>>>>>>>
Tax Base Date:
Next Tax Date:
Expires:

INVENTOR INFORMATION	Assigned	Due Date	Taken	Deadline	Completed	Action
INVENTOR		01/02/2001				INF DISCLOSURE STMT
		04/02/2001				Foreign filing - 6 month reminder
		07/02/2001				Foreign filing - 9 month reminder
		09/02/2001				Foreign filing - 11 month reminder
		10/02/2001				Foreign filing deadline
		04/01/2002			04/01/2002	INSTRUCT AGENT
						SMALL ENTITY STMT
						REM/FILE APPLICATION

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<<<<<<< DESCRIPTION >>>>>>>
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<<<<<<< USER DEFINED TEXT >>>>>>>>>>>>
THAT WE FILE A NEW PATENT APPLICATION.
AGENT LETTER DATED 03/26/2002 REQUESTING
DUE DATE 04/01/2002. PRIORITY CLAIMED: U.K. PATENT APPLICATION NO. 9923306.3 FILED
11/01/1999. THIS ISA NATIONAL PHASE OF PCT/GB00/03760. CLAIM: SMALL ENTITY STATUS.

IN THE ABSENCE OF SPECIFIC INSTRUCTIONS TO THE CONTRARY, THIS APPLIC. AND PATENT ARE
TO BE KEPT IN FORCE, INCLUSIVE OF PAYMENT OF NECESSARY GOVERNMENT FEES BEFORE OR
AFTER GRANT.
371 NATIONAL PHASE APPLICATION FILED 04/01/2002
PER DISCUSSION WITH WWA ON 06/17/2002 , POA REC'D FROM CLIENT 06/14/2002.
AGENT LTR DATED 07/09/2002, WITH COPIES OF ASSIGNMENT AND DECLARATION DOCUMENTS.
(REC'D 07/11/2002).
AGENT LTR DATED 08/16/2002, REQUEST ACKNOWLEDGMENT OF ASSIGNMENT AND
DECLARATION (REC'D 08/19/2002).

PCMaster v3.02 - Fulbright & Jaworski - [Patent]

File Edit Records Utilities Help

Docket Number: HO-P02416US0
Country: United States
Case Type: Regular
Relation Type: Original Filing
Filing Type: National
Filing Number:
Billing Atty: Thomas D. Paul
Working Atty: Melissa W. Acosta
Working Atty #2:
Client: J. A. Kemp & Co.
Agent: J. A. Kemp & Co.
Agent Ref No.: N.77933B

DIAGNOSIS OF COELIAC DISEASE USING A GLIADIN EPTOPE

Licenses	Other No's	Related Id	Title	Text	Assignment	Memo
Filing Data	Related Party Info	More	Actions	Description	Expenses	Ext Files
Status	Filed		First Filing Date	10/01/1999		
Sub Status	Pending		Sub Status Date	03/26/2002*		
Parent Country	Great Britain		Parent Filing Date	10/02/2000		
Parent Number	PCT/GB00/03760		Parent Issue Date			
Total Claims			Ind. Claims\Designs			
Serial Number	10/089,700		Application Date	10/02/2000		
Patent Number			Issue Date			
Publication Number			Publication Date			
Assigned			Expiration Date			
Convention Type			Tax Base Date			
Office Code	Houston		Next Tax Date			

Created: 03/26/2002 Updated: 08/20/2002 4:07 PM By: 0591

PCMaster v3.02 - Fulbright & Jaworski - [Patent]

File Edit Records Utilities Help

Docket Number: HD-P02416US0
Country: United States
Case Type: Regular
Relation Type: Original Filing
Filing Type: National
Filing Number:
Billing Atty: Thomas D. Paul
Working Atty: Melissa W. Acosta
Working Atty #2:
Client: J. A. Kemp & Co.
Agent: J. A. Kemp & Co.
Agent Ref No.: N.779338

DIAGNOSIS OF COELIAC DISEASE USING A GLIADIN EPI TOPE

Licenses	Other No's	Related Id	Title	Text	Assignment	Memo
Filing Data	Related Party Info	More	Actions	Description	Expenses	Ext Files
Action	Action Due Date	Taken Date	Deadline Date	Completed Date	Action Notes	
INF DISCLOSURE STMT	01/02/2001!					
Foreign filing - 6 month	04/02/2001!					
Foreign filing - 9 month	07/02/2001!					
Foreign filing - 11 month	09/02/2001!					
Foreign filing deadline	10/02/2001!					
INSTRUCT AGENT	04/01/2002			04/01/2002	RETU	
SMALL ENTITY STMT						
REM/FILE						

Created: 03/26/2002 Updated: 08/20/2002 4:07 PM By: 0591